

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WAN JIN LEEM,

Plaintiff,

v.

OK HWAN KIM, 341 SECOND AVE.  
FARM, INC., DOES 1-100,

Defendants.

1:07-cv-03116 (RJH) (JCF)

PROPOSED SCHEDULING ORDER

**DISCOVERY PLAN PURSUANT TO  
FEDERAL RULE OF CIVIL PROCEDURE 26(f)**

Pursuant to Fed. R. Civ. P. 26(f), counsel for Plaintiff Wan Jin Leem and counsel for Defendants Ok Hwan Kim and 341 Second Ave. Farm, Inc. conferred on May 22, 2007 and agreed to the following discovery plan:

**Description of the Case:**

1. The attorneys of record for each party are as follows:

(a) Counsel for Plaintiff Wan Jin Leem:

- (i) John D. Shyer, Latham & Watkins LLP
- (ii) Sung-Kee Kim, Latham & Watkins LLP (lead trial attorney)
- (iii) Hyun Jee Son, Latham & Watkins LLP
- (iv) Steven Choi, Asian American Legal Defense and Education Fund

(b) Counsel for Defendants Ok Hwan Kim and 341 Second Ave. Farm Inc.:

- (i) E. Peter Shin (lead trial attorney)

2. Federal jurisdiction is based on alleged violations of the federal Fair Labor and Standards Act, 29 U.S.C. §201 *et seq.*

3. This is an action under the federal and state labor laws to recover damages suffered by Plaintiff as a result of Defendants' failure to pay Plaintiff's lawful wages plus liquidated damages and interest. No counterclaims are asserted.

4. Plaintiff seeks to recover his lawful wages plus liquidated damages, interest, and attorneys fees.

**Proposed Case Management Plan:**

1. There is one (1) pending motion for Hyun Jee Son's pro hac vice admission to the Southern District of New York.

2. Proposed cutoff date for joinder of additional parties: July 5, 2007

3. Proposed cutoff date for amendments to pleadings: July 5, 2007

4. Proposed schedule for completion of discovery:

(a) Initial Disclosures: The parties will exchange initial disclosures as required by Fed. R. Civ. P. 26(a)(1) by June 6, 2007.

(b) Requests for Production of Documents and Interrogatories: The parties shall exchange document requests and interrogatories by June 20, 2007. The parties shall exchange responses to these discovery requests and produce documents on or before July 20, 2007.

(c) Fact Discovery Cutoff Date: All fact discovery shall be completed by October 24, 2007.

(d) Disclosure of Expert Testimony: The parties do not intend to use expert testimony in this case.

5. Proposed date for filing dispositive motions: December 19, 2007.

6. Parties consent to proceed before a Magistrate Judge.

**Status of Settlement Discussions:**

7. No formal settlement discussions have yet occurred between parties.


8. Parties have not yet come to an agreement on the request of a settlement conference.

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Dated: May 22, 2007  
New York, New York

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*Attorney for Defendants*

DATED: May 31, 2007  
New York, NY

SO ORDERED:

  
Hon. James C. Francis  
United States Magistrate Judge

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